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EXAMINER	
CHOW, CHARLES CHIANG	
ART UNIT	**PAPER NUMBER**
2685	9

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/235,606	DUVALL ET AL.	
	Examiner	Art Unit	
	Charles Chow	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 January 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Office Action for Amendment
Received on 1/6/2004

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1, 7, 10, 14-15, 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brewster et al. (US 5,960,337) in view of Hollenberg (US 6,091,956).

Regarding **claim 1**, Brewster et al. (Brewster) teaches a method of voice and GPS satellite constellation position location data radio communication (method and system in Fig. 1, voice from mobile phone 17 and GPS satellites 41-47, location determination system LD 31) over a cellular phone network (the network for mobile phone 17) having a cellular radio voice path and a different data radio control channel path requesting user location information service of the control center (first channel for voice, second channel for GPS location data, col. 4, lines 44-47, control signal channel for location information in col. 5, lines 63 to col. 6, line 5). Brewster teaches the requesting user location information services of the control center upon user verification, sending a radio signal from the control center over the different data radio control channel path be received at said location (EAS operator activates two separate channel and second channel for GPS location data in col. 4, lines 43-47, the observer 11 uses mobile phone 17 to contact EAS operator 21, col. 5, lines 52-64, using voice on first channel,

col. 4, lines 44-47), the providing a radio transponder, GPS receiver and microprocessor module at user location (Fig. 1, the mobile telephone 17 connected to the location determination LD system 31 having GPS system, the LD signal receiver/processor, col. 6, lines 6-22).

Brewster teaches the activating GPS receiver (EAS operator interrogating GPS receiver/ processor, col. 4, line 45, the LD 31) in response to receipt of radio signal sent from the control center over the data radio control channel path to receive and process location data from the GPS satellite constellation at the user location and to activate the transponder at user location to transmit the processed location data over the data radio control channel path back to said control center (EAS operator 21 activate two communication channels, separating voice channel from location data radio control channel, with a first channel for standard voice-messages and a second channel for interrogating the GPS for communication of location information, col. 4, lines 38-55; the EAS operator 21 commands the LD 31 to use a control signal channel for transmitting processed location data of the phone 17 back to the EAS operator center, col. 5, line 62 to col. 6, line 5. The separate occasionally used control channel for communication of location information, col. 9, lines 44-61; the using of a communication channel which is separate from a communication channel used by observer to report emergency event to EAS operator, to report location of the LD signal module to EAS operator in col. 13, lines 32-36), for associating at the control center (EAS operator center) the transmitted user location data (location of mobile phone 17) received over the data radio control channel path (a occasionally used control channel) by the control center (EAS operator center) with user voice call request received along the cellular radio voice path at

the control center (a first channel for voice signal to report emergency event to EAS operator center).

Brewster does not clearly teach the sending of the requested user location service information transmitted from the control center to user.

Hollenberg teaches the requesting location information (the wireless system provides service for the current location information requested by the user, abstract, figure in cover page, Fig. 3, Fig. 4, Fig. 1, Fig. 5; col. 11, lines 48-56). Hollenberg teaches the associating of the transmitted location data (the location information from pedestrian mobile device 18e using received satellite GPS 22g, Fig. 3, col. 14, lines 31-57) requested by user's voice call at the control center, and sending location service information from the control center to the user (the received estimated location information and display the estimated location on the handheld computer-wireless comm. device 2b, col. 11, lines 31-33; col. 24, lines 12-14). Hollenberg teaches the transmitting location information to display on pedestrian's wireless device 2b, such that the system could be efficient to provide location information to the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Brewster above, and to include Hollenberg's transmitting location information to display on user's wireless device, such that the system could be efficient to provide location information to the user.

Regarding **claim 7**, Brewster teaches a system for voice and positional location data radio communication teaches a method of voice and GPS satellite constellation position location data radio communication (method and system in Fig. 1, voice from mobile phone 17 and

GPS satellites 41-47, location determination system LD 31) over a cellular phone network (the network for mobile phone 17) having a cellular radio voice path and a different data radio control channel path requesting user location information service of the control center (first channel for voice, second channel for GPS location data, col. 4, lines 44-47, control signal channel for location information in col. 5, lines 63 to col. 6, line 5).

Brewster teaches the requesting user location information services of the control center upon user verification, sending a radio signal from the control center over the different data radio control channel path be received at said location (EAS operator activates two separate channel and second channel for GPS location data in col. 4, lines 43-47, the observer 11 uses mobile phone 17 to contact EAS operator 21, col. 5, lines 52-64, using voice on first channel, col. 4, lines 44-47), the providing a radio transponder, GPS receiver and microprocessor module at user location (Fig. 1, the mobile telephone 17 connected to the location determination LD system 31 having GPS system, the LD signal receiver/processor, col. 6, lines 6-22).

Brewster teaches the activating GPS receiver (EAS operator interrogating GPS receiver/ processor, col. 4, line 45, the LD 31) in response to receipt of radio signal sent from the control center over the data radio control channel path to receive and process location data from the GPS satellite constellation at the user location and to activate the transponder at user location to transmit the processed location data over the data radio control channel path back to said control center (EAS operator 21 activate two communication channels, separating voice channel from location data radio control channel, with a first channel for standard voice-messages and a second channel for interrogating the GPS for communication of

location information, col. 4, lines 38-55; the EAS operator 21 commands the LD 31 to use a control signal channel for transmitting processed location data of the phone 17 back to the EAS operator center, col. 5, line 62 to col. 6, line 5. The separate occasionally used control channel for communication of location information, col. 9, lines 44-61; the using of a communication channel which is separate from a communication channel used by observer to report emergency event to EAS operator, to report location of the LD signal module to EAS operator in col. 13, lines 32-36), for associating at the control center (EAS operator center) the transmitted user location data (location of mobile phone 17) received over the data radio control channel path (a occasionally used control channel) by the control center (EAS operator center) with user voice call request received along the cellular radio voice path at the control center (a first channel for voice signal to report emergency event to EAS operator center).

Brewster fails to teach the sending of the requested user location service information transmitted from the control center to user. However, Hollenberg teaches the requesting location information (the wireless system provides service for the current location information requested by the user, abstract, figure in cover page, Fig. 3, Fig. 4, Fig. 1, Fig. 5; col. 11, lines 48-56). Hollenberg teaches the associating of the transmitted location data (the location information from pedestrian mobile device 18e using received satellite GPS 22g, Fig. 3, col. 14, lines 31-57) requested by user's voice call at the control center, and sending location service information from the control center to the user (the received estimated location information and display the estimated location on the handheld computer-wireless comm. device 2b, col. 11, lines 31-33; col. 24, lines 12-14). Hollenberg teaches the

transmitting location information to display on pedestrian's wireless device, such that the Brewster's system could be operated efficiently to provide location information to a user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Brewster above, and to include Hollenberg's transmitting location information to display on user's wireless device 2b, to Johnson as modified above, such that the system could be efficient to provide location information to the user.

Regarding **claim 10**, Brewster teaches the control channel in claim 1 above. Hollenber teaches the effected by the PIN information at the control center (col. 18, lines 38-44; 29b/29c in Fig. 2; comparing user ID in col. 23 lines 22-27).

Regarding **claim 14**, Brewster teaches a method of voice and GPS satellite constellation position location data radio communication (method and system in Fig. 1, voice from mobile phone 17 and GPS satellites 41-47, location determination system LD 31) over a cellular phone network (the network for mobile phone 17) having a cellular radio voice path and a different data radio control channel path requesting user location information service of the control center (first channel for voice, second channel for GPS location data, col. 4, lines 44-47, control signal channel for location information in col. 5, lines 63 to col. 6, line 5). Brewster teaches the requesting user location information services of the control center upon user verification, sending a radio signal from the control center over the different data radio control channel path be received at said location (EAS operator activates two separate channel and second channel for GPS location data in col. 4, lines 43-47, the observer 11 uses mobile phone 17 to contact EAS operator 21, col. 5, lines 52-64, using voice on first channel, col. 4, lines 44-47), the providing a radio transponder, GPS receiver and microprocessor

module at user location (Fig. 1, the mobile telephone 17 connected to the location determination LD system 31 having GPS system, the LD signal receiver/processor, col. 6, lines 6-22).

Brewster teaches the activating GPS receiver (EAS operator interrogating GPS receiver/ processor, col. 4, line 45, the LD 31) in response to receipt of radio signal sent from the control center over the data radio control channel path to receive and process location data from the GPS satellite constellation at the user location and to activate the transponder at user location to transmit the processed location data over the data radio control channel path back to said control center (EAS operator 21 activate two communication channels, separating voice channel from location data radio control channel, with a first channel for standard voice-messages and a second channel for interrogating the GPS for communication of location information, col. 4, lines 38-55; the EAS operator 21 commands the LD 31 to use a control signal channel for transmitting processed location data of the phone 17 back to the EAS operator center, col. 5, line 62 to col. 6, line 5. The separate occasionally used control channel for communication of location information, col. 9, lines 44-61; the using of a communication channel which is separate from a communication channel used by observer to report emergency event to EAS operator, to report location of the LD signal module to EAS operator in col. 13, lines 32-36), for associating at the control center (EAS operator center) the transmitted user location data (location of mobile phone 17) received over the data radio control channel path (a occasionally used control channel) by the control center (EAS operator center) with user voice call request received along the cellular radio voice path at

the control center (a first channel for voice signal to report emergency event to EAS operator center).

Brewster does not clearly teach the sending of the requested user location service information transmitted from the control center to user.

However, Hollenberg teaches the requesting location information (the wireless system provides service for the current location information requested by the user, abstract, figure in cover page, Fig. 3, Fig. 4, Fig. 1, Fig. 5; col. 11, lines 48-56). Hollenberg teaches the associating of the transmitted location data (the location information from pedestrian mobile device 18e using received satellite GPS 22g, Fig. 3, col. 14, lines 31-57) requested by user's voice call at the control center, and sending location service information from the control center to the user (the received estimated location information and display the estimated location on the handheld computer-wireless comm. device 2b, col. 11, lines 31-33; col. 24, lines 12-14). Hollenberg teaches the transmitting location information to display on pedestrian's wireless device 2b, such that the Brewster's system could be operated efficiently to provide location information to a user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Brewster above, and to include Hollenberg's transmitting location information to display on user's wireless device 2b, to Johnson as modified above, such that the system could be efficient to provide location information to the user.

Regarding **claim 15,** Hollenberg teaches the sending location data service from center to the user over assigned user voice channel (col. 18, lines 38-44).

Regarding **claim 17**, Brewster teaches a method of voice and GPS satellite constellation

position location data radio communication (method and system in Fig. 1, voice from mobile phone 17 and GPS satellites 41-47, location determination system LD 31) over a cellular phone network (the network for mobile phone 17) having a cellular radio voice path and a different data radio control channel path requesting user location information service of the control center (first channel for voice, second channel for GPS location data, col. 4, lines 44-47, control signal channel for location information in col. 5, lines 63 to col. 6, line 5). Brewster teaches the requesting user location information services of the control center upon user verification, sending a radio signal from the control center over the different data radio control channel path be received at said location (EAS operator activates two separate channel and second channel for GPS location data in col. 4, lines 43-47, the observer 11 uses mobile phone 17 to contact EAS operator 21, col. 5, lines 52-64, using voice on first channel, col. 4, lines 44-47), the providing a radio transponder, GPS receiver and microprocessor module at user location (Fig. 1, the mobile telephone 17 connected to the location determination LD system 31 having GPS system, the LD signal receiver/processor, col. 6, lines 6-22).

Brewster teaches the activating GPS receiver (EAS operator interrogating GPS receiver/ processor, col. 4, line 45, the LD 31) in response to receipt of radio signal sent from the control center over the data radio control channel path to receive and process location data from the GPS satellite constellation at the user location and to activate the transponder at user location to transmit the processed location data over the data radio control channel path back to said control center (EAS operator 21 activate two communication channels, separating voice channel from location data radio control channel, with a first channel for standard

voice-messages and a second channel for interrogating the GPS for communication of location information, col. 4, lines 38-55; the EAS operator 21 commands the LD 31 to use a control signal channel for transmitting processed location data of the phone 17 back to the EAS operator center, col. 5, line 62 to col. 6, line 5. The separate occasionally used control channel for communication of location information, col. 9, lines 44-61; the using of a communication channel which is separate from a communication channel used by observer to report emergency event to EAS operator, to report location of the LD signal module to EAS operator in col. 13, lines 32-36), for associating at the control center (EAS operator center) the transmitted user location data (location of mobile phone 17) received over the data radio control channel path (a occasionally used control channel) by the control center (EAS operator center) with user voice call request received along the cellular radio voice path at the control center (a first channel for voice signal to report emergency event to EAS operator center).

Brewster does not clearly teach the sending of the requested user location service information transmitted from the control center to user.

However, Hollenberg teaches the requesting location information (the wireless system provides service for the current location information requested by the user, abstract, figure in cover page, Fig. 3, Fig. 4, Fig. 1, Fig. 5; col. 11, lines 48-56). Hollenberg teaches the associating of the transmitted location data (the location information from pedestrian mobile device 18e using received satellite GPS 22g, Fig. 3, col. 14, lines 31-57) requested by user's voice call at the control center, and sending location service information from the control center to the user (the received estimated location information and display the estimated

location on the handheld computer-wireless comm. device 2b, col. 11, lines 31-33; col. 24, lines 12-14). Hollenberg teaches the transmitting location information to display on pedestrian's wireless device 2b, such that the Brewster's system could be operated efficiently to provide location information to a user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Brewster above, and to include Hollenberg's transmitting location information to display on user's wireless device 2b, to Johnson as modified above, such that the system could be efficient to provide location information to the user.

Regarding **claim 18**, Hollenberg teaches the location services data is sent from the control center over voice channel path to user (col. 18, lines 38-44).

2. Claims 2, 5-6, 8-9, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brewster in view of Hollenberg, as applied to claim 1 above, and further in view of Johnson (US 5,986,543).

Regarding **claim 2**, the combination of Brewster and Hollenberg discloses the method of claim 1. Brewster and Hollenberg fails to teaches the user location is in the vehicle. However, Johnson teaches the user location is in the vehicle (200, Fig.1) for using the cellular telephone 211. Johnson also shown above the CPU processor module 401 is in vehicle (Fig. 2). Johnson teaches the vehicle monitoring device with intrusion detection (abstract), camera (col. 6, lines 24-41) for vehicle security, to automatically activate a call to report vehicle position to central monitor station 103 (abstract, col. 23, lines 1-21) having cellular system (col. 4, lines 34-76). Johnson teaches improved efficient system for

monitoring of the security of a vehicle, for automatically determining of the vehicle location (col. 2, lines 1-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Brewster above, and to include Johnson's processor module 410 and intrusion detection for automatically reporting vehicle location, such that the vehicle could be location efficiently from the location report information.

Regarding **claim 5**, Johnson teaches the movement/tampering alarm sending in his intrusion detection alarm activation. Johnson considers the control and communications unit is connected to several intrusion detection devices. In response to the detection of the violation of an intrusion detection device, the calling unit establishes communication link to the central monitoring station (abstract). Johnson teaches the process GPS location data, the verifying occupant in the vehicle; the predesignated cellular phone 211; the central monitoring communicating with the cellular phone 211. Brewster taught above the control channel.

Regarding **claim 6**, Brewster teaches the activating GPS receiver (EAS operator interrogating GPS receiver/processor, col. 4, line 45, the LD 31) in response to receipt of radio signal sent from the control center over the data radio control channel path to receive and process location data from the GPS satellite constellation at the user location and to activate the transponder at user location to transmit the processed location data over the data radio control channel path back to said control center (EAS operator 21 activate two communication channels, separating voice channel from location data radio control channel, with a first channel for standard voice-messages and a second channel for interrogating the GPS for communication of location information, col. 4, lines 38-55; the EAS operator 21 commands

the LD 31 to use a control signal channel for transmitting processed location data of the phone 17 back to the EAS operator center, col. 5, line 62 to col. 6, line 5. The separate occasionally used control channel for communication of location information, col. 9, lines 44-61; the using of a communication channel which is separate from a communication channel used by observer to report emergency event to EAS operator, to report location of the LD signal module to EAS operator in col. 13, lines 32-36), for associating at the control center (EAS operator center) the transmitted user location data (location of mobile phone 17) received over the data radio control channel path (a occasionally used control channel) by the control center (EAS operator center) with user voice call request received along the cellular radio voice path at the control center (a first channel for voice signal to report emergency event to EAS operator center).

Brewster and Hollenberg disclose the method of claim 1, Brewster and Hollenberg fail to teach the sensing unauthorized movement/tempering at the vehicle. However, Johnson teaches the sensing unauthorized movement/tempering at the vehicle and in response to such sensing at the vehicle location (200), and apart from the presence or absence of a user at the vehicle, for reporting vehicle location information (abstract, also in claim 2 above, the determining occupant ID in col. 2, lines 45-55). Johnson teaches the vehicle monitoring device with intrusion detection (abstract), camera (col. 6, lines 24-41) for vehicle security, to automatically activate a call to report vehicle position to central monitor station 103 (abstract, col. 23, lines 1-21) having cellular system (col. 4, lines 34-76). Johnson teaches improved efficient system for monitoring of the security of a vehicle, for automatically determining of the vehicle location (col. 2, lines 1-44). Therefore, it would have been obvious to one of

ordinary skill in the art at the time of invention to modify Brewster and Hollenberg above, by including Johnson's intrusion detection for automatically reporting vehicle location, such that the vehicle could be location efficiently from the location report information.

Regarding **claim 8**, Johnson teaches the user is a pedestrian at which user is provided with a personal cellular phone (mobile phone 17) and said module (the connected LD system having GPS receiver/ processor above).

Regarding **claim 9**, Johnson teach in claim 1 above the user is a pedestrian (11, Fig. 1) or is located at another personal location at which user is provided with a cellular phone and said module (27-1/27-2, Fig. 1).

Regarding **claim 11**, Johnson taught in claims 1, 5 above for the movement/tamper alarm; the activating GPS transponder; the user identification verification; the means for associating request to the location data; the means for calling, communicating, the alarm from control center to that phone 110 carried by the pedestrian.

3. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brewster in view of in view of Johnson.

Regarding **claim 12**, Brewster teaches the activating GPS receiver (EAS operator interrogating GPS receiver/processor, col. 4, line 45, the LD 31) in response to receipt of radio signal sent from the control center over the data radio control channel path to receive and process location data from the GPS satellite constellation at the user location and to activate the transponder at user location to transmit the processed location data over the data radio control channel path back to said control center (EAS operator 21 activate two

communication channels, separating voice channel from location data radio control channel, with a first channel for standard voice-messages and a second channel for interrogating the GPS for communication of location information, col. 4, lines 38-55; the EAS operator 21 commands the LD 31 to use a control signal channel for transmitting processed location data of the phone 17 back to the EAS operator center, col. 5, line 62 to col. 6, line 5. The separate occasionally used control channel for communication of location information, col. 9, lines 44-61; the using of a communication channel which is separate from a communication channel used by observer to report emergency event to EAS operator, to report location of the LD signal module to EAS operator in col. 13, lines 32-36), for associating at the control center (EAS operator center) the transmitted user location data (location of mobile phone 17) received over the data radio control channel path (a occasionally used control channel) by the control center (EAS operator center) with user voice call request received along the cellular radio voice path at the control center (a first channel for voice signal to report emergency event to EAS operator center).

Brewster fails to teach the user location is in the vehicle. However, Johnson teaches the user location is in the vehicle (200, Fig.1) for using the cellular telephone 211. Johnson also shown above the CPU processor module 401 is in vehicle (Fig. 2). Johnson teaches the vehicle monitoring device with intrusion detection (abstract), camera (col. 6, lines 24-41) for vehicle security, to automatically activate a call to report vehicle position to central monitor station 103 (abstract, col. 23, lines 1-21) having cellular system (col. 4, lines 34-76). Johnson teaches improved efficient system for monitoring of the security of a vehicle, for automatically determining of the vehicle location (col. 2, lines 1-44). Therefore, it would

have been obvious to one of ordinary skill in the art at the time of invention to modify Brewster above, and to include Johnson's processor module 410 and intrusion detection for automatically reporting vehicle location, such that the vehicle could be location efficiently from the location report information. Johnson teaches the sensing unauthorized movement/tempering at the vehicle in response to such sending at the vehicle location (200), and apart from the presence or absence of a user at the vehicle (abstract, also in claim 2 above, the determining occupant ID in col. 2, lines 45-55).

Regarding **claim 13**, Brewster teaches phone so pre-designated at the control center (the phone used by EAS operator 21, Fig.1) is cared by or in communication with a further vehicle provided with means for tracking periodic radio reply transmissions (GPS location information) from a transponder. Johnson taught the automatic activation cellular transponder 213 to the central monitoring station 103 as the same carrier reply transponder signals.

4. Claims 3-4, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brewster in view of Hollenberg, as applied to claim 1 above, and further in view of Sheffer (US 5,515,419).

Regarding **claim 3**, Brewster and Hollenberg disclose the method of claim 1, in addition, Brewster teaches the user is a pedestrian at which user is provided with a personal cellular phone (mobile phone 17) and said module (the connected LD system having GPS receiver/ processor above).

Brewster and Hollenberg fail to teach located at another personal user location. However, Sheffer teaches the located at another personal user location (Sheffer, Fig. 10, portable 110 is at home, in car or carried by pedestrian). Sheffer teaches the utilization of control channel to compute the portable 110's approximate location (col. 3, lines 29-32). Sheffer teaches the tracking system for the pedestrian carrying cellular phone unit (title; col. 19, lines 44-65) such that the system will protect the carried portable phone 110 no matter it is at car, at home or carried by pedestrian (col. 19,lines 44-65) such that the field response vehicle FRU would locate the pedestrian carried the portable phone110 using a separate channel for the direction finding unit 182, a separate channel for the FRU and monitoring station 103, and microwave link 17 to central office 19. Sheffer teaches the separate location process using the cellsite's control channels, the path through central office 19, microwave link17, the monitoring station 14, the direction finder 182, the field response vehicle FRU for locating the portable phone 11 carried by the pedestrian. Sheffer teaches a movable cellular phone and the separate control channel for vehicle 180, such that the system could be improved by having the cellular phone separate from the vehicle. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Brewster and Hollenberg, by including Sheffer's movable cellular phone and the separate control channel for vehicle 180, such that the system could be upgraded to be improved by having the cellular phone separate from the vehicle.

Regarding **claim 4**, Hollenberg has shown the associated location data in the situation information system received over the control channel from 18e for requested current location

information and is effected by the user identification password at logon for displaying the location information (col. 24, lines 7-13).

Regarding **claim 16**, Sheffer teaches the data channel path (of the central office 19, the microwave link 17) uses the control channel of the cellular voice network, using control channels (Fig. 10).

Response to Arguments
And
Conclusion

5. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Regarding applicant's arguments for the no teachings of a separated control channel for location data, the user location information service (page 9 of applicant's remark) based upon the separating of cellular radio voice path of user voice calling from the different data radio control channel for receiving, transmitting processed location data over control channel, between radio transponder, GPS receiver at user location and control center (for each independent claim 1, 6-7, 12, 14, 17), the previously introduced reference Brewster-'337 teaches a method of voice and GPS satellite constellation position location data radio communication (method and system in Fig. 1, voice from mobile phone 17 and GPS satellites 41-47, location determination system LD 31) over a cellular phone network (the network for mobile phone 17) having a cellular radio voice path and a different data radio control channel path requesting user location information service of the control center (first channel for voice, second channel for GPS location data, col. 4, lines 44-47, control signal channel for location information in col. 5, lines 63 to col. 6, line 5).

Brewster teaches the requesting user location information services of the control center upon user verification, sending a radio signal from the control center over the different data radio control channel path be received at said location (EAS operator activates two separate channel and second channel for GPS location data in col. 4, lines 43-47, the observer 11 uses mobile phone 17 to contact EAS operator 21, col. 5, lines 52-64, using voice on first channel, col. 4, lines 44-47), the providing a radio transponder, GPS receiver and microprocessor module at user location (Fig. 1, the mobile telephone 17 connected to the location determination LD system 31 having GPS system, the LD signal receiver/processor, col. 6, lines 6-22).

Brewster teaches the activating GPS receiver (EAS operator interrogating GPS receiver /processor, col. 4, line 45, the LD 31) in response to receipt of radio signal sent from the control center over the data radio control channel path to receive and process location data from the GPS satellite constellation at the user location and to activate the transponder at user location to transmit the processed location data over the data radio control channel path back to said control center (EAS operator 21 activate two communication channels, separating voice channel from location data radio control channel, with a first channel for standard voice-messages and a second channel for interrogating the GPS for communication of location information, col. 4, lines 38-55; the EAS operator 21 commands the LD 31 to use a control signal channel for transmitting processed location data of the phone 17 back to the EAS operator center, col. 5, line 62 to col. 6, line 5. The separate occasionally used control channel for communication of location information, col. 9, lines 44-61; the using of a communication channel which is separate from a communication channel used by observer to

report emergency event to EAS operator, to report location of the LD signal module to EAS operator in col. 13, lines 32-36), for associating at the control center (EAS operator center) the transmitted user location data (location of mobile phone 17) received over the data radio control channel path (a occasionally used control channel) by the control center (EAS operator center) with user voice call request received along the cellular radio voice path at the control center (a first channel for voice signal to report emergency event to EAS operator center).

In view of above disclosures, claims 1-18 are remaining in the rejected manner.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Charles Chow whose telephone number is (703)-306-5615.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)-305-4385.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Charles Chow C.C.

April 1, 2004.

Quochien B. Vuong 4/19/04

QUOCHIEN B. VUONG
PRIMARY EXAMINER